

## A CANDIDATE'S RECORD.

MR. SALOMON WANTED NEW YORK CITY PUT UNDER MARTIAL LAW.

A Section of Simon Stern's Nominees for Supreme Court Justice which Gov. Hoffman Refused to Countenance—His Attack on the Credibility of Jews as Witnesses.

In October, 1871, a sub-committee of the New York Committee of Seventy, including Mr. Edward Salomon, now one of the two nominees of the so-called Citizens' party to the Superior Court in this city, waited upon Gov. John T. Hoffman, appealing to him as Chief Magistrate of the State to exert his power to arrest the abuses in the municipal government. On this occasion Mr. Salomon delivered an address, reported at length in the Albany *Argus* of Oct. 18, 1871, in which he told the Governor:

"The Constitution points to you as the one to aid the suffering people of New York in their smothering. Suppose that no man of whom God should prevail in the streets of New York. Your duty would be plain. You would place the city under martial law, and assume the government of the city. We suggest, not better for you to take the power from them at once? You have to deal in an exceptional case with conspirators, and why not use the military branch at once if necessary?"

Gov. Salomon, in reply to a question from Gov. Hoffman as to whether he the Governor had any warrant in the Constitution for the exercise of such arbitrary power, said he had no doubt but that the courts of the State would sustain the Chief Magistrate in the exercise of such power, as it would not be the first time in the history of the law that new writs were framed. "If the facts," he said, "are brought out in the name of the people of the State no individual tribunal would refuse the clause of the Constitution, to see how the law properly exercised."

In the course of further discussion between the Governor and the sub-committee, ex-Gov. Salomon again urged that there might be a revolution on foot in New York at any time, instigated by the men then in power, and advised the Governor to take charge of the city and protect the lives and property of its citizens.

Gov. Hoffman replied that if such an emergency should arise, he would be fully prepared to act. He was opposed to bringing the military and civil powers into conflict on the use of the military power except in case of war or disturbance of order at home, and he was opposed to the exercise of arbitrary executive power at any time. The Attorney-General's office was, under the Constitution, independent of him, but he felt warranted in saying that the Attorney-General would aid the committee, or any other body, in carrying out his views. He was the acknowledged head of the bar of this State, and no one could doubt that if Mr. Salomon was chosen the work would be well and wisely done.

Ex-Gov. Salomon suggested that trouble might be apprehended some day in New York, and that the Governor might be called in to take military possession of the city.

To this the Governor replied that he had already taken preliminary steps in order that might be performed to prevent any threatened disorder; and if any should occur the citizens might rest assured it would be put down by the power not only of the city, but of the State.

The New York *Times* of Oct. 18, 1871, in editorial form, said that while the action of the New York *Herald* did not fit pointedly both in its leading article and in brief editorial both in the Democratic candidate and in brief editorial.

Ex-Gov. Salomon suggests that as the Governor would clearly have the right to declare martial law and to make martial possession of New York, in the event of riot or insurrection, he would use every means to exercise the power at once, and upon the municipal government. He again quietly asked whether Mr. Salomon could find any warrant in the Constitution for the exercise of such arbitrary power, and the committee, after consulting with the court, would sustain the lawless acts of the Governor, and help him to implement his views.

The Governor's policy decided to play the part of executive revolution.

**Again it said:**

The Committee of Seventy, to have become more familiar with the law, now what martial law means? and do they desire the stain of martial law to rest on the metropolis of the United States in a time of peace?

**Again:**

The Committee of Seventy call upon Gov. Hoffman, in the name of all peace and endangered liberty, to withdraw, violate and rule with the people, and not with any authority in the country for such a usurpation?

**The Evening Post** of Oct. 18, 1871, said:

They suggested martial law in the city, and directly addressed it to the Governor. The Governor seemed to doubt its power for that purpose, and to regard the notion of martial law as a mere idle suggestion. His view of martial law, Hoffman will have the substance of it, is that it is a power which can be exercised by the Governor, and not by the Legislature. A bill was introduced into the Legislature, which would have given him a wide range of power, and if he could have got it through the streets of our cities, he would have been a champion of it. He is a good man, and his friends are in the streets of our cities, he would have been a champion of it.

The Committee of Seventy, a champion of the cause of the poor, who were often in the same key and inspired by the same spirit, brought in the motion under the law to assemble, trust the cause to their leaders, and to make their voices heard in the cause.

**Again:**

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